

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SHANE K. HOPKINS
PLAINTIFF

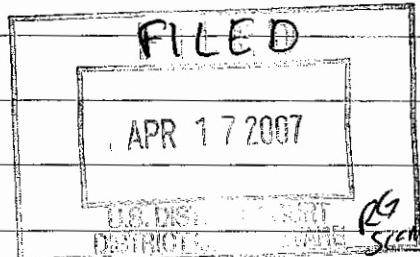
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C/o JOHN PUSEY, ET AL;
DEFENDANTS

CA No: 05-870-SLR

COMES NOW PLAINTIFF SHANE K. HOPKINS REQUEST
THAT THE COURT ISSUE SUBPOENA'S UNDER RULE 45(a)(3)
REQUIRING THE BELOW NAMED INDIVIDUALS SUBMIT TO
O.R.A.T. DEPOSITIONS.

- 1) LT. SALAS FIRST NAME UNKNOWN
- 2) LT. YODER FIRST NAME UNKNOWN
- 3) SGT CLIFTON OUTTEN
- 4) C/o GLENENISE BAKER
- 5) C/o SHANE BURNELL
- 6) C/o Joseph Smith
- 7) C/o John Pusey
- 8) Nurse BETTY BRYANT



IN SUPPORT OF THIS MOTION THE PLAINTIFF
OFFERS THE FOLLOWING.

9) EACH ABOVE NAMED DELAWARE CORRECTIONAL CENTER EMPLOYEE'S EITHER TOOK PART IN OR WITNESSED THE INCIDENT ON NOVEMBER 26TH 2004 FOR WHICH THE PLAINTIFF HAS BROUGHT THIS COMPLAINT.

10) HOWEVER THE PLAINTIFF WAS NOT AWARE OF THIS FACT UNTIL THEIR NAMES WERE PROVIDED THROUGH THE DISCOVERY PROCESS DUE TO THE EFFECTS OF A CHEMICAL AGENT E.G. CAP STUN BEING USED UPON PLAINTIFF DURING NOVEMBER 26TH 2004 INCIDENT.

11) PREVIOUSLY THE PLAINTIFF SUBMITTED A MOTION BEFORE THIS COURT REQUESTING THAT C/O JOHN PUSEY AND C/O JOE SMITH SUBMIT TO WRITTEN DEPOSITIONS ON MARCH 9TH 2007. AT THAT TIME THE PLAINTIFF WAS BOTH UNAWARE OF THE DISADVANTAGE THAT SUCH A DEPOSITION WOULD CREATE, AND TRYING TO AVOID BEING PHYSICALLY WITHIN THE PRESENCE OF THESE DEFENDANTS DUE TO FEAR.

12) THE PLAINTIFF WOULD LIKE TO WITHDRAW THE MOTION FOR WRITTEN DEPOSITIONS AND REQUEST THAT THE ABOVE LISTED NAMED DEFENDANTS AND UNNAMED WITNESSES SUBMIT TO ORAL DEPOSITION.

13) DUE TO THE PLAINTIFF'S INCARCERATION THE PLAINTIFF REQUESTS THAT THIS COURT STIPULATE THE METHOD AND DATE CONVENIENT FOR THE DEFENCE TO ARRANGE DEPOSITIONS.

14) Furthermore The Plaintiff As A PRO SE Litigator With Limited Knowledge Of Civil Law And No Meaningful Legal Assistance Requests That This Court Clarify Rule 15(c) Of The Federal Rules Of Civil Procedure And The Possibility Of The Plaintiff Filing An Amended Complaint Under The "RELATIONAL BACK" STANDARD Thereby Making The Aforementioned Delaware Correctional Center Employees Named Defendants.

15) Will The Plaintiff Be "TIME BARRED" Due To The Statute Of Limitations If The Court Accepts An Amended Complaint.

Shane Hopkins
SHANE K. Hopkins
253918

DATED April 9th 2007

Delaware Correctional Center
1181 Paddock Rd
Smyrna Delaware
19977

Certificate of Service

I, SHANE K. HOPKINS, hereby certify that I have served a true and correct cop(ies) of the attached: MOTION FOR ORAL DEPOSITIONS
AND SUBPOENA REQUEST upon the following parties/person (s):

TO: STACEY XARHAKAKOS
DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
620 N. FRENCH ST 6TH FLOOR
WILMINGTON DELAWARE 19801

TO: _____

TO: _____

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 9th day of MARCH, 2007, 2007

Shane Hopkins

IM SWANK HOPKINS

SBI# 253918 UNIT #22

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

OFFICE OF THE CLERK

United States District Court

844 N. King STREET Lockbox # 18

Wilmington, Delaware

19801-3507



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